

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rapoport

Serial No: 08/482,402

Filed: 6/7/1995

For: DISEASE ASSOCIATED HUMAN
HUMAN AUTOANTIBODIES
SPECIFIC FOR HUMAN THYROID
PEROXIDASE

Examiner: S. Ungar

GAU: 1642

Allowed: 5/1/02

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
UNINTENTIONALLY ABANDONED UNDER 37 CFR 1.137(b)**

Sir:

Applicant hereby petitions for revival of the above-identified application. The entire delay in filing the required reply from the due date for the required reply until the filing of this petition under 37 CFR 1.137(b) was unintentional.

A Notice of Allowance and Issue Fee Due was mailed on May 1, 2002. Authorization to pay the Issue Fee was timely mailed on July 17, 2002, but the application subsequently became abandoned because of an alleged shortage of funds in the authorized deposit account.

Subsequently, even though the PTO did not restore the application from its abandoned status, the issue fee of \$1,280 was charged to the authorized deposit account on October 3, 2002. A copy of the Deposit Account Statement for October 2002 is attached hereto as evidence of that charge. Thus, the Commissioner is hereby authorized to charge the petition fee (\$1300) under 37 CFR 1.17(m) to Deposit Account No. 13-5135, as well as \$20 to cover the difference between the issue fee charged in October 2002 and the issue fee of \$1,300 due now, and the terminal disclaimer fee of \$110 due under 37 CFR 1.20(d). No other charges should be necessary.

A terminal disclaimer, required since the subject application was filed prior to June 8, 1995, is attached hereto.

The application should now be in condition for issuance, and prompt action is

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Serial No.: 08/482,402
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respectfully requested.

Date: 9/4/2003

Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618
949-450-1750

Respectfully submitted,

Donald E. Stout
Donald E. Stout
Attorney for Applicants
Registration No. 34,493

CERTIFICATE OF TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being transmitted by facsimile on September 4, 2003 to the United States Patent & Trademark Office at 703-308-6916.

Donald E. Stout
Donald E. Stout
Registration No. 34,493



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Deposit Account Statement

Requested Statement Month: October 2002
Deposit Account Number: 135135
Name: STOUT UXA BUYAN & MULLINS L L P
Attention: DONALD E. STOUT
Address: 4 VENTURE, SUITE300
City: IRIVINE
State: CA
Zip: 92618

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/03	7	09561480	A-1529	2251	\$55.00	\$8,128.00
10/03	350	08482402	102105.151CI	1501	\$1,280.00	\$6,848.00
10/03	351	09035202	A-1367	1501	\$1,280.00	\$5,568.00
10/03	352	09634118	QD1-1700 DIV	1501	\$1,280.00	\$4,288.00
10/03	353	09931727	A-1661	1501	\$1,280.00	\$3,008.00
10/03	354	09791080	A-1383CON	2501	\$640.00	\$2,368.00
10/03	355	09246342	8388.24P	1501	\$1,280.00	\$1,088.00
10/04	50	10262420	A-1597CON2	2001	\$370.00	\$718.00
10/07	1	10100245	A-1011DIV	2251	\$55.00	\$663.00
10/08	4	09475495	A1579	2251	\$55.00	\$608.00
10/08	29	E-REPLENISHMENT		9203	-\$5,000.00	\$5,608.00
10/09	151	76155403		6004	\$150.00	\$5,458.00
10/11	1	10096051	A-1334CON	1251	\$110.00	\$5,348.00
10/11	147	78173147		6001	\$325.00	\$5,023.00
10/11	355	78173284		6001	\$325.00	\$4,698.00
10/16	1	09687185	A-1673	2252	\$190.00	\$4,508.00
10/17	150	78175077		7001	\$325.00	\$4,183.00
10/17	322	78175173		7001	\$325.00	\$3,858.00
10/23	10	09954505	A-1804CIP	1814	\$110.00	\$3,748.00
10/25	38	E-REPLENISHMENT		9203	-\$3,000.00	\$6,748.00
10/29	2	09479393	A-1583	2251	\$55.00	\$6,693.00
10/29	26	09226418	A-1670	1453	\$1,280.00	\$5,413.00
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$8,183.00	\$10,770.00	\$8,000.00	\$5,413.00	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor:

Application No.:

Art Unit:

Filed:

Examiner:

Title:

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Date

Signature

Telephone
Number: _____

Typed or printed name

Address

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

Address

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate